IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTIETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

And

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No.13255 of 2004

Between:

T. Sai Babu, S/o. T. Bhanumurthy,
Srisailam Dam West, H.No. 13-13, Brahmagiri,

Mahabubnagar District.

..... PETITIONER

AND

1 Government of Andhra Pradesh,

Represented by its Secretary (Energy),
Secretariat, Hyderabad.

2 Chairman & Managing Director,

A.P. Genco, Khairatabad, Hyderabad.

3 Patel Engineering Company, Akasa Ganga

Complex, 4th Floor, Khairatabad,
Rep by its Managing Director, Khairatabad,

Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate order or direction more particularly a writ in the nature of Mandamus, directing the Respondents 1 and 2 herein not to pay any amount to the 3rd Respondent pertaining to Srisailam left Bank Hydro Electric Scheme (Power Station) and if final bill amount is already paid to take steps to recover excess amount of Rs.88,64,49,300/- paid, by declaring the irregularities committed by Respondent Nos.1 and 2 by enhancing the contract rates without following the price Index and conditions of contract is illegal, void and without jurisdiction.

Counsel for the Petitioner: MR.G.DHARMA RAO

Counsel for Respondent Nos.1 & 2: GP FOR ENERGY

Counsel for Respondent No.3 :

The Court made the following :

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ORDER:(Per Hon'ble Sri Justice B. Sudershan Reddy)

Learned counsel for the petitioner seeks leave of this Court to withdraw this writ petition with liberty to file a fresh writ petition as and when he will be in a position to collect all the necessary facts required to be stated for the purpose of filing the writ petition in public interest. Leave is accordingly granted.

The Writ Petition shall accordingly stand dismissed as withdrawn. No order as to costs.

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B. SUDERSHAN REDDY, J

Date:30-07-2004

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K.C. BHANU, J

PV

….Assistant Registrar.

Section Officer.

To

1 The Secretary (Energy)

Government of Andhra Pradesh,

Secretariat, Hyderabad.

2 The Chairman & Managing Director,

A.P. Genco, Khairatabad, Hyderabad.

3. Two C.Cs. to G.P. for Energy, High Court of A.P.,

Hyderabad(O.U.T.)

4. Two C.Ds.